

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 5, 1962

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, September 5, 1962. Councilmen Brown, Culbertson, Dow, Ullmann and Katzakian (Mayor) present. None absent.

Also present: City Manager Glaves, Administrative Assistant Carlton, City Attorney Mullen and Planning Director Rodgers.

MINUTES The Minutes of August 8, 1962 and of August 15, 1962, were approved as written and mailed on motion of Councilman Brown, Ullmann second.

PUBLIC HEARINGS

ZONING ORD. Notice thereof having been published in accordance with law,
AMENDMENTS Mayor Katzakian called for public hearing on the proposal to
 amend the zoning ordinance as follows:

ORD. NO. 732
INTRODUCED

1. Change in the required land area for apartments constructed in the C-P commercial professional office zone from the present R-4 standard of one dwelling unit for each 500 square feet of lot area to the R-3 standard of one dwelling unit for each 2,000 square feet of lot area.
2. Provide that no petition for the reclassification of a specific property shall be accepted if final action has been taken by the Planning Commission or the City Council to deny a similar request within the past year. This provision shall not prohibit the Planning Commission nor the City Council from initiating such a change. There were no protests, written or oral, to the proposed changes. There was considerable discussion concerning the proposed amendment to prohibit consideration of a zoning application if a similar request has been denied within the year. The purpose of the amendment is to eliminate repeated requests for rezoning which may be intended to wear down the Planning Commission and the City Council, or opponents of the request. Councilman Dow opposed this amendment as being too vague and questioned the fairness of leaving it up to the Council or Planning Commission as to whether or not the zoning could be reconsidered within the one year period. Councilman Culbertson felt that if a different class of zoning was requested, the application should be accepted. Councilman Dow moved that Ordinance No. 732 be introduced amending the Zoning Ordinance in regard to required land area for apartments in the C-P zone, but excepting the amendment regarding prohibition of reapplications. There was no second to the motion. Stating that as a matter of policy any application requesting a zoning classification different from that in the first application be considered a new application, Councilman Culbertson moved the introduction of Ordinance No. 732 amending the zoning ordinance as recommended by the Planning Commission by changing the land area requirements for apartments constructed in the C-P zone and by adding a section to prohibit zoning applications which have been denied within the previous year. The motion was seconded by Councilman Brown and carried by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, ULLMANN
and KATZAKIAN

NOES: Councilmen - DOW

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REZONE W/S HAM
BTW LOCKEFORD
AND ELM STS
TO C-S

ORD. NO. 733
INTRODUCED

Notice thereof having been published in accordance with law, the Mayor calling for hearing on the proposed rezoning of a 7.7 acre parcel on the west side of Ham Lane between Elm Street and Lockeford Street from R-1 and R-3 residential zones and the C-1 neighborhood commercial zone to the C-S commercial shopping zone. There were no protests, written or oral. The City Manager read the recommendation of the Planning Commission in favor of the rezoning. Mr. Merrill Stone of Stone Bros. of Stockton spoke in behalf of the rezoning, giving reasons why this site was favorable for a shopping center. The site plans for the shopping center have been approved by the Planning Commission. Mr. Roy Miura, co-owner of the land and part owner of the Sell-Rite Market which would be incorporated into the center, also spoke in favor of the rezoning. Councilman Brown moved the introduction of Ordinance No. 733 rezoning the parcel of land on the west side of Ham Lane between Elm and Lockeford Streets to C-S commercial-shopping zone. The motion was seconded by Councilman Culbertson and carried, Councilman Dow abstaining because of the site's close proximity to his former business (Dow's Nursery).

REZONE
201-209
N. SCHOOL
TO C-2

ORD. NO. 734
INTRODUCED

Mayor Katzakian then called for hearing on the proposed rezoning of 201-209 North School Street from R-3 residential and C-1 neighborhood commercial to the C-2 general commercial zone, notice of said hearing having been published in accordance with law. The City Manager read the recommendation of the Planning Commission in favor of the rezoning. There were no protests written or oral. Councilman Culbertson moved the introduction of Ordinance No. 734 rezoning the property at 201-209 North School Street to the C-2 general commercial zone. The motion was seconded by Councilman Dow and carried unanimously.

SISTER-CITY
CHARTER

Mayor Katzakian presented two Town Affiliation Charters which had been awarded, one to the citizens of Kofu, Japan, and the other to the citizens of Lodi, in recognition of their sister-city affiliation by the Civic Committee of the People-to-People Program and the American Municipal Association. He said that the charter for Kofu would be mailed to that city.

PLANNING COMMISSION

TENT. MAP OF
VISTA RAY SUBD.

City Manager Graves explained that it was not the usual procedure to present a tentative map to the City Council, but that the tentative map of the Vista Ray Subdivision was being submitted to the Council in view of the drainage problem. The proposed subdivision is at the northwest corner of Ham and Vine streets northwest of Lodi Memorial Hospital. The drainage problem had been recognized at the time the property was annexed to the City. At that time it was expected that the storm drainage for that area could be connected to the drainage ditch proposed in the Master Storm Drainage Plan. However, the outcome of the bond election leaves doubt as to the status of the Master Storm Drainage Plan. Three alternatives are: (1) to construct the ditch; (2) to require the subdivider to provide drainage until such time as the City has it available; and (3) not to approve the subdivision until drainage is available. The Council discussed at length the problem of providing drainage as contemplated under the Storm Drain Plan due to the outcome of the bond election, the possibility of providing ponding areas, etc. Councilmen Brown and Dow expressed the opinion that the subdivider should be allowed to provide his own drainage, but Councilman Culbertson stated that such a policy would result in messy situations and he felt that in those instances in which the City could not provide drainage, the City should not annex property or approve subdivisions. Councilman Dow moved that the tentative map for the Vista Ray Subdivision be approved with

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the provisions that the landowner be responsible for draining the subdivision in accordance with the City Engineer's approval until such time as the City can provide drainage. The motion was seconded by Councilman Brown. Maurice Ray, Jr. asked if the subdivider would be required to pay the acreage charge for storm drainage and was told that he would still have to pay that charge since the lines for storm drainage would have to be put in the subdivision when it was developed. The motion carried by the following vote:

AYES: Councilmen - BROWN, DOW, ULLMANN and KATZAKIAN

NOES: Councilmen - CULBERTSON

BARBERA
SHOPPING
CENTER SITE

A report was received from the Planning Commission that the Commission had reviewed the C-S commercial shopping zoning on the 10-acre parcel located at the southeast corner of Kettleman Lane and West Lane as required by the zoning ordinance. Extension of six months was granted to the property owner, Mr. Edward Barbera, and was conditioned on incorporating the new 110-foot right of way width for West Lane into the approved site plan for the shopping center.

MEDICAL
OFFICES AND
BEAUTY SHOPS

The Planning Commission recommended that the zoning ordinance be amended by eliminating medical offices in the R-3 and R-4 residential zones and by limiting beauty shops conducted within a home to one operator, to a sign of not more than two square feet, and to receipt of a use permit. The matter was set for public hearing on September 19, 1962 on motion of Councilman Culbertson, Dow second.

COMMUNICATIONS

INTENT TO
ANNEX THE
GINOCCHIO
ADDITION

RES. NO. 2562
ADOPTED

All provisions of State law having been complied with, a petition for the annexation of the Ginocchio Addition, being 8.5 acres in the area of Mills Avenue and Loma Drive north of Lockeford Street which is surrounded by City boundaries, was presented for Council action. On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2562, resolution of intention to annex the Ginocchio Addition to the City of Lodi.

COUNTY RE
GARBAGE SITES

A resolution was received from the County Board of Supervisors in opposition to the establishment of all land uses, including but not limited to garbage or refuse disposal facilities, in the vicinity of park or recreation areas or in the vicinity of future park or recreation sites which would be in conflict with the proper use of such park and recreation areas or which would be inimical to the further successful development of such park or recreation facilities.

SACRAMENTO
WATER SKI
CLUB

A letter was read from the Sacramento Water Ski Club thanking the City for the opportunity of using Lodi Lake for a Water Ski Tournament in July.

AUBURN DAM-
FOLSOM SOUTH
CANAL PROJECT

A letter was read from the County Counsel's Office to the effect that the Board of Supervisors had sent letters of appreciation for the progress which the Auburn Dam-Folsom South Canal project has made to date to the President of the United States and to the Chairman of the United States Senate Committee on Interior and Insular Affairs. The Board of Supervisors wished to urge the City to write similar communications. On motion of Councilman Culbertson, Ullmann second, the Council voted to send letters of appreciation to the President and to the Chairman of the Senate Committee on Interior and Insular Affairs for the progress made on the Auburn Dam-Folsom South Canal project.

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CVD, LCC
MEETING

A notice was received from the City of Turlock that the next meeting of the Central Valley Division, League of California Cities, will be held in that city on September 27, 1962.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$150,630.20 were approved on motion of Councilman Culbertson, Dow second.

SPECS -
SUBD. PAVING
PROJECT 1962

Specifications for the Subdivision Paving Project 1962 were approved and call for bids authorized on motion of Councilman Culbertson, Brown second.

SPECS-
POLICE CARS

Specifications for two police cars were approved and call for bids authorized on motion of Councilman Culbertson, Ullmann second.

POWER POLE
RELOCATION

On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2563 approving an agreement with the State Division of Highways for the relocation of one power pole in connection with the Lodi Freeway Project and authorizing the City Manager to sign the agreement on behalf of the City.

RES. NO. 2563
ADOPTEDNO PARKING
ZONE AT 606
W. LOCKEFORD

The local manager of the State Department of Motor Vehicles has requested that a parking stall in front of the Department's building at 606 West Lockeford Street be eliminated. The stall is between two driveways and several accidents have occurred because of this situation. Councilman Culbertson moved the adoption of Resolution No. 2564 eliminating the parking stall at 606 West Lockeford Street and establishing a no parking zone therein. The motion was seconded by Councilman Dow and carried.

RES. NO. 2564
ADOPTED1962-63 GAS
TAX FUNDS

The 1962-63 budget proposals for engineering and maintenance from gas tax funds were presented for Council action before being forwarded to the State Division of Highways, the amounts having been approved when the budget was adopted. On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2565 adopting the budget of proposed expenditures of State allocated funds for engineering and directing the City Manager to sign the same on behalf of the City. On motion of Councilman Dow, Brown second, the City Council adopted Resolution No. 2566 adopting the budget of proposed expenditure of gas tax funds for maintenance of City streets and authorizing the City Manager to sign the same on behalf of the City.

RES. NO. 2565
& NO. 2566
ADOPTEDGAYDON REST
HOME

City Manager Graves gave a report on the request of the Gaydon Rest Home to permit six persons in a boarding house. The Building Code permits a maximum of five persons in such a home, having been changed in 1956 in order to conform with the State Housing Act and the State Fire Code. He mentioned that in some localities the Department of Hygiene had licensed homes with six persons. Councilman Culbertson said that it would be advisable to write to the Department of Hygiene in regard to conforming with State laws. The Council rejected the request of Mrs. Gaydon and instructed that she be so informed.

ORDINANCES

ANNEX
SCHEPPLER ADDN.

ORDINANCE NO. 730, entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED 'SCHEPPLER ADDITION' TO THE CITY OF LODI", having been introduced at the meeting of August 15, 1962, was brought up for passage on motion of Councilman Brown, Culbertson second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

ORD. NO. 730
ADOPTED

AYES: Councilmen - BROWN, CULBERTSON, DOW, ULLMANN
and KATZAKIAN

NOES: Councilmen - NONE

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REZONE
208-210 E. ELM
TO C-2

ORD. NO. 731
ADOPTED

ORDINANCE NO. 731, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING THE PROPERTY AT 208 AND 210 EAST ELM STREET TO BE IN THE C-2 GENERAL COMMERCIAL DISTRICT," having been introduced at the meeting of August 15, 1962, was brought up for passage on motion of Councilman Ullmann, Brown second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW, ULLMANN
and KATZAKIAN

NOES: Councilmen - NONE

REPORTS OF THE CITY MANAGER (continued)

STORM DRAIN
STUDY

City Manager Graves stated that he had been in touch with Blair-Westfall Associates, Consulting Engineers, concerning the City's storm drainage problem. This firm has designed plans for the City of Fresno providing for a ground water recharge system of drainage in some areas and feels that a similar system may be feasible for removal of Lodi's storm waters. They have offered to make a review of the City's present Master Storm Drainage Plan and to study and report upon the feasibility of revising the plans by incorporation of ground water recharge installations and the possible multiple use of such installations as open-space areas. The City Manager felt that it would be worthwhile to have the present plan reviewed and he read the proposed agreement submitted by Blair-Westfall whereby they would make a study and report on a time and materials basis which in no event would exceed \$8,200. Councilman Brown advocated having the City conduct its own experiments to determine if a ground water recharge system would serve Lodi. Councilman Culbertson said that the Council had been criticized for spending money on experts and also for not having all the answers. He felt that having the proposed study made would give the Council further information to back up its statements. Councilman Dow moved that the firm of Blair-Westfall Associates be employed to conduct a survey of the City's drainage problems as outlined in the proposed agreement. Motion was seconded by Councilman Culbertson and carried by the following vote:

AYES: Councilmen - CULBERTSON, DOW, ULLMANN and
KATZAKIAN

NOES: Councilmen - BROWN

APPOINTMENTS

PENSION
BOARD

Mayor Katzakian reported that Mr. Kerby Anderson had been selected by the other members of the Pension Board to continue serving as the lay member of the Board and asked the Council to concur in the reappointment. On motion of Councilman Dow, Brown second, the City Council concurred in the reappointment of Kerby Anderson to the Pension Board for a two-year term commencing July 1, 1962. Councilman Fred Brown was then reappointed to serve on the Pension Board on motion of Councilman Dow, Culbertson second.

There being no further business, the Council adjourned at 10:35 p.m.

Beatrice Garibaldi
ATTEST: BEATRICE GARIBALDI
City Clerk